

REPS IN ACTION

How workplaces can gain from
modern union representation

MAY 2009

The CBI, TUC and BERR would like to thank Leeds University Business School for their help in assembling the case studies used in this publication. We would also like to thank the organisations and individuals that gave their time to take part in the case study research.

Contents

Joint Foreword by Brendan Barber, Richard Lambert, Rt Hon Lord Mandelson	2
Introduction	4
Case Studies:	7
Case 1 – Boots	7
Case 2 – British Museum	8
Case 3 – British Telecom Open Reach	9
Case 4 – Cavaghan and Gray	10
Case 5 – Group 4 Securicor	12
Case 6 – Npower	13
Case 7 – Tristar Homes	14
Glossary	15
Further Information	17

Joint Foreword

In today's difficult economic climate, it is more important than ever that all resources available to the workplace are well deployed. Union representatives constitute a major resource: there are approximately 200,000 workers who act as lay union representatives. We believe that modern representatives have a lot to give their fellow employees and to the organisations that employ them.

In their day-to-day work lay union representatives are rarely the subject of media attention. This publication seeks to raise awareness of the positive role they play. It presents evidence of how modern union representatives can deliver real gains at the workplace. We show how seven organisations and their workplace representatives have joined forces to address a particular issue. These case studies illustrate how all those involved – employees, the union and the employer – have directly benefited.

Some of our case studies focus on the developing role of the shop steward and other traditional union representatives: illustrating how they can act as agents of change. Other case studies show how emerging issues have been effectively handled by other more specialist categories of union representatives, such as environmental representatives.

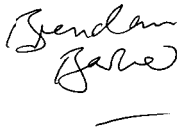
Our case studies have very different characteristics. But each demonstrates that when union representatives and managers forge positive working relationships, they can produce innovative solutions which make a tangible difference to the workplace.

We want to inspire other unionised organisations to consider whether they too could achieve similar benefits if they developed a joint approach to problem-solving.

Most of the examples in this publication are taken from the private sector. But we are also pleased to announce that the Public Services Forum has agreed to draft a similar publication focusing on the ways lay union representatives and local managers can support and deliver positive change within the public sector.



Peter Mandelson
Secretary of State for Business,
Enterprise and Regulatory Reform



Brendan Barber
TUC General Secretary



Richard Lambert
CBI Director General

Introduction

1. This publication is the joint work of the CBI, the TUC and the Government. Together, they have examined the role of modern union representatives and, through newly-commissioned research from Leeds University Business School¹, present evidence identifying the positive contribution they can make to the workplace. Most of this publication is given over to presenting the findings of this case study research.
2. There are approximately 200,000 union representatives on-site at British workplaces. They are the face of the union at the workplace. Most are traditional representatives such as shop stewards, convenors, branch secretaries and safety representatives. But, other types of specialist union representative – in particular, learning, environmental or equality representatives – are increasingly appearing on the scene. The case studies include examples from some of these categories of representative².
3. Union representatives undertake many types of tasks. By tradition, trade unions focus most on terms and conditions of employment, and the resolution of the problems which their individual members may experience at work. But there are other, and wider, issues about managing change that representatives also address:
 - They can help to articulate the views and ideas of the workforce to improve working practices and workplace performance. This can result in raised employee motivation

1 The research team were Professor Mark Stuart, Dr Andy Charlwood, Dr Jennifer Tomlinson and Dr Robert Perrett.

2 The Glossary at the back of this publication explains the role of each category of union representative.

and productivity, leading in turn to reduced staff turnover, lower recruitment costs and a loss of skills.

- Union Learning Representatives (ULRs) have successfully introduced many thousands of employees to training, helping employees to enhance their work capabilities and, in some cases, to overcome a lack of basic literacy and numeracy skills.
 - Environmental representatives can work with the employer to improve the impact of an organisation or workplace on the local environment, helping nearby communities and raising the reputation of the employer.
 - Equality reps (which are not featured in this publication, but which are present in many unionised workplaces) can help raise awareness of issues related to equality and diversity; raise the profile of equal treatment of workers on the grounds of gender, age, religion, sexual orientation, disability etc; and engage employers on a range of equalities issues.
4. This publication presents examples of issues which any manager could face but which have been successfully addressed with the help of different types of workplace representatives. Some of the case studies deal with difficult one-off situations; others demonstrate a novel solution towards more embedded problems. The case studies show that, where workplaces are unionised, employers and trade unions who work efficiently and constructively together can improve workplace performance for the mutual benefit of the employer and the employee.
5. Clearly representatives need appropriate time and facilities to undertake their workplace activities. Therefore, most trade union representatives have statutory rights to reasonable time off with pay to undertake their duties and to be trained in those duties. The Advisory, Conciliation and Arbitration Service (Acas) provides practical guidance, including a Code of Practice, to

help parties decide their time off arrangements. This guidance is currently being revised to reflect the changing pattern of work, and we recommend readers to consult the Acas material to find out more about the efficient and effective organisation of time off.

6. The CBI, TUC and the Government hope this publication will increase understanding about the changing world of the workplace representative. They hope it will prompt employers and trade unions to consider whether their own workplace representatives could help deliver more of the mutual benefits illustrated in the case studies.

Case Studies

BOOTS

Boots is a leading UK health & beauty retailer. This case focuses on one of 17 regional distribution centres (DCs) which process and distribute Boots products to stores in South-West England. The site employs 92 workers, with over 70 per cent working in manual distribution, and the remainder in management, administration and implementation. Union organisation is well established and there is a partnership agreement with Usdaw.

Boots' strategy to improve the efficiency of its national DC led to an investment in a programme of centralised, automated distribution. As a result, all 17 regional DCs are closing by the end of September 2009. The roll-out of closures resulted in several, related initiatives. First, the company developed a three stage redundancy programme, around announcement, consultation and redeployment. Second, each site was allocated an Implementation Co-ordinator to assist closure. Third, a 'Network Work Stream' has been set up to aid redeployment.

Demonstrating commitment to improving employability and redeployment, Boots opened training accounts with £300 per worker allocated to those facing redundancy. Two ULRs spoke to each worker to understand more about their intentions and how they might benefit from training and redeployment opportunities. The Implementation Co-ordinator claimed the ULRs had been excellent at 'selling training'.

Despite challenging times, the benefits of collaborative working were identified by all concerned. He also felt that staff motivation had improved through the investments made in developing a positive learning culture, facilitated by the work of the ULRs. The union reps felt Usdaw benefited from strengthening its reputation and membership at the site, as the union wanted to help all employees and not just union members. Both reps interviewed stated that they had to 'learn the role as they went along' and that earlier briefing regarding their role might have brought about earlier improvements in employment relations.

BRITISH MUSEUM

The British Museum is over 250 years old and holds in trust a collection of art and antiquities from ancient and living cultures. It employs 1000 staff, equally balanced by gender. The museum has a long tradition of union membership and in general collaborative relations have prevailed. Union membership stands at 70 per cent, and includes many senior managers. Representation is organised across four unions, PCS (the largest), Prospect, FDA and Unite.

Since 2004 the organisation has made efforts to address the issue of reducing its carbon footprint and become a green, environmentally aware workplace. In 2006 the TUC received funding from the Carbon Trust to run six pilot projects under the title of the 'Green Workplaces Initiative'. The British Museum was one of the pilot organisations. A 'Green fair' event was held to identify individuals' interested in becoming environmental reps, and elicited 100 expressions of interests. Twenty five were then selected to represent every area/department within the museum. Most were union members and many were union representatives as well. This initiative also drew other employees into this arena for the first time so succeeded in engaging the wider workforce.

The role of the environmental rep was to gather information about their specific department and help managers and fellow work colleagues to 'get the green message', through identifying how each area could make efficiency savings. Awareness of environmental issues at work and at home was also encouraged. There was a strong commitment to the project by both the unions and senior management. It was important for management that employees understood that the initiative was not simply a cost cutting exercise, but rather focused on addressing a serious social concern. (In this sense the unions' involvement was invaluable and helped reinforce that this was interpreted as a grass roots initiative being led by employees). A large number of suggestions emerged from the environmental reps which had not previously been identified by management, ranging from new energy saving light bulbs to re-organising exhibits to control the environment around vulnerable pieces in the most energy efficient manner. The environmental rep initiative further solidified the relations between management and unions, and employees felt engaged in the decision-making processes relating to the environment. Moreover, the Green Workplaces Initiative likely contributed toward a subsequent reduction in energy consumption worth around £700,000.

BRITISH TELECOM OPEN REACH

Open Reach is a service delivery business within the BT company that deals primarily with the customer interface and maintenance. The operation employs 34,000 staff nationally, 700 in Wales and 40 specifically at the Bridgend site. The CWU branch has a strong tradition of voluntary union membership and has a well-developed structure of union representation.

The issue related to the working patterns of a single parent engineer who was experiencing difficulty with balancing her working life with child care arrangements. A previously signed personal and domestic arrangement agreement was not providing the flexibility she required and her attendance at work was slipping. Under the performance management system there was the possibility that a formal procedure may lead to contract termination. This was causing personal stress, so she approached her line manager for help. Good working relations between line management and the local union branch, led to the branch rep taking up the issue.

The branch representative took the issue up with BT Human Resources and the Head Office of the Communications Workers' Union. Support was offered as the company and CWU were exploring ways of improving the recruitment and retention of female engineers. The main challenge related to establishing a personal agreement that fell outside established collective agreements.

But a resolution was found by giving the staff member the choice to formulate a working hours' arrangement that suited her specific needs; designed with the assistance and support of the branch representative. She moved from three to five days a week, with shorter daily hours, packaged within an annualised hours arrangement.

The new arrangement has greatly alleviated the staff member's personal stress and increased her long-term commitment to the company. For the company, the case illustrates the benefits of collaborative working and how working 'with the union can improve the business'. It improved the 'credibility of the union by showing representatives can think 'outside the box''.

CAVAGHAN AND GRAY

Cavaghan and Gray was incorporated into the Northern Foods group in 2000. It produces high quality products for firms such as Marks and Spencer. The company employs 1000 people, 65 per cent of whom are union members. The main union is Usdaw. There is a well developed structure of union organisation at the site.

Following the takeover by Northern Foods the company restructured, with 600 job losses and widespread investment in automation. Subsequently there has been a drive to standardise machine use across the group and raise health and safety standards. Historically, health and safety was described as patchy with little active staff participation.

After observing practice at another site, the union convenor encouraged the company to introduce a Hazards and Near Miss Form. The company's health and safety officers designed the form, which was then revised following union input prior to implementation. The forms are distributed across the shop floor for anyone to pick up, complete, anonymously, and post in strategically placed hazard boxes. There is an expectation that managers action the forms and an action is taken there is a formal 'sign off' by both the relevant manager and health and safety representative.

Initial implementation was slow, with forms inappropriately completed and the system viewed with scepticism by the line management. This was overcome through health and safety reps advising employees of form completion and encouraging management buy-in and support. Levels of buy-in amongst both staff and management are high, and form completion has increased year on year. Once established, the procedure was disseminated back to Northern Foods and its innovation recognised with an award at the company's annual health and safety meeting.

The relationship that has developed between union and management around the Hazard and Near Miss Form has contributed to better employee relations at the plant more generally. For management, the 'union is not seen as a threat anymore, but as a help'. More specifically, health and safety hazards are rectified with immediate effect. There has been a widespread programme of repairs and a significant reduction in the severity of accidents and time lost as a result of accidents. Employee attitude surveys show an increase in staff morale and a perception of increased safety at work.

CAVAGHAN AND GRAY *(continued)*

Formal health and safety policies and processes are developing apace at the plant. Union representatives and management have joint health and safety 'walkabouts' and jointly plan audits. The plant is also starting to roll out a major new behavioural safety programme focusing on Safe and Unsafe Acts. The target is to train one in four staff as safety champions as part of this programme. The union convenor has a lead training role.

The main challenge faced in terms of implementing the Hazard and Near Miss Form was buy-in from the shop floor and winning over some 'doubting managers', who took the view 'we will believe it when we see it'. Buy-in was ensured through the central role played by the union convenor and the health and safety representatives in assisting staff in the completion of forms and showing the wider benefits of the idea to management. Both management and union representatives are of the view that the innovations in health and safety could only have happened through a partnership-based approach. The spillovers from this have been significant; health and safety reporting is now regarded as a cultural part of working at the plant and a recognised feature of line management work.

GROUP 4 SECURICOR

Group 4 Securicor (G4S) was formed following the merger of Group 4 and Securicor in 2004. The main UK business activities cover 'cash centres' and 'cash transit'. Cash centres incorporate secure facilities used to store and prepare cash for banks. Cash transit involves the secure movement of cash from and to businesses. Approximately 7,500 workers are employed across these two divisions in the UK. The GMB has sole recognition rights, with a membership density of mid 80 per cent for the cash services division.

Historically, relations between union and management had at times been fraught with the threat of industrial action and a strike ballot. Acas intervened so as to break down barriers between management and the union. As a result innovative collaborative working developed centred, primarily, around the joint concern for the safety of cash transit crews who had witnessed an increase in violent attacks over recent years.

By establishing a National Negotiating Committee (NNC), senior management and trade union reps developed a successful external campaign to promote change through an 'Attacks Campaign'. The union reps successfully persuaded a number of Chief Police Constables that the police should follow vans when this was convenient. Attacks in these areas subsequently declined. Management negotiated procedural changes with retailers and banks to allow vans to get as close to their premises as possible to avoid crew over exposure on the street. Furthermore, union reps and management lobbied local councils and central government for temporary parking allowances where client premises were in pedestrianised areas.

The Attacks Campaign operated at a senior level and discussions focused specifically on the issue of attacks; other concerns, for example pay and conditions, were not addressed at these meetings. However, cooperative relations with regards to the welfare and safety of the workforce have led to better relations over other employment issues. All parties reported a 'fundamental and strong level of trust' and a greater understanding of the others' views. This had led to other initiatives around harassment and bullying and an agreement on a new disciplinary matrix. The Attacks Campaign has resulted in real changes to operating procedures and attacks against crews have fallen. Furthermore, an 'attack fund' has been set up to help support seriously injured employees following an attack. Again, the union and management worked together in establishing the specifics of the fund.

NPOWER

Npower is a Gas and Electricity generation and supply company. Unions and collective bargaining have always played a prominent role in the company, which is the product of mergers of parts of the old Central Electricity Generating Board and regional supply companies in the Midlands, North East and Yorkshire. Management and union reps report a positive climate of employment relations. The recognised unions include GMB, UNISON and Unite.

The company had a joint capability and disciplinary procedure. The aim of the capabilities part of the procedure was to manage poor performance around issues like absenteeism, which did not warrant disciplinary action. However, in practice, managers were unsure of when to go through the capabilities procedure, and when to invoke the disciplinary procedure. This meant that the disciplinary procedure was often used inappropriately, with the result that staff often felt they were being treated unfairly, while management felt that time and effort was being wasted on inappropriate use of the grievance procedure, without tackling underlying performance issues.

In response to this problem, a joint working party, comprising HR managers and union reps was established. The approach agreed by both parties, was that the capabilities procedure should become much less formal, and concerned with using coaching to improve performance. The outcome of the working party was a new capabilities procedure which all sides were much happier with. The working party had the effect of cementing already positive relations between management and union reps. Once the working party had reached agreement, the union reps were heavily involved in the roll-out of training in the new procedure for line-managers. This training program succeeded in securing high levels of buy-in from these managers. Management and union reps felt that the process had also had positive benefits on the climate of employment relations.

TRISTAR HOMES

Tristar Homes is an Arms Length Management Organisation (ALMO), which manages and maintains 10,600 council houses for Stockton Borough Council. HR management are keen to encourage positive engagement with the unions. The unions represented at the site include Unite, UCATT, GMB and UNISON, which has the most members. Despite a high level of management engagement with the union, and good day to day working relationships between union reps and management, the company still faces the challenge of residual 'us and them' attitudes on the part of the workforce. The result is that some employees are distrustful of management.

A new HR manager was keen to improve the organisation's performance on training and learning. She was aware of the availability of funding for joint union-management training initiatives through Union Learn, so supported a union-led bid, which was successful. This led to the appointment of a union learning co-ordinator. The union learning co-ordinator's role was to act as a champion of learning within the organisation. Her office was located in the depot where the company's manual workers were based, because this was the group of workers that were the most difficult to involve in training. Manual workers were initially sceptical of getting involved, but the learning co-ordinator was able to make progress by persuading a few staff members to participate, and word then quickly spread about the training that was available and how good it was.

Overall, over one third of the workforce had been through some sort of training organised by the learning co-ordinator. Uptake of in-house training courses among manual workers increased dramatically, giving management a powerful lever for improving performance. Many employees had taken advantage of the opportunity to acquire new skills, from IT, to lock-smithing to face-painting. These skills had tangible business benefits, for example, the company no longer sub-contracts lock-smithing, saving thousands of pounds. And staff have gained confidence and enjoyment from work through participating in training.

Glossary

There are many different types of union representatives. The glossary below sets out some of the most common roles. Many union reps will undertake more than one of these roles, or will undertake different elements of these and other roles.

Shop Stewards, Convenors, Branch Officers, and similar	These are the main category of representative. Their functions are often general and can be quite diverse, and their titles can vary. They tend to represent workers' interests collectively, either within the collective bargaining context, where it takes place at company or workplace level, or through Joint Consultative Committees with management. They can also represent workers for statutory consultations in collective redundancy situations and other business consultations. Most help individual members by representing them in grievance and disciplinary matters or by resolving other personal issues at work. These representatives tend also to be responsible for union recruitment and running the administration of the union's affairs locally.
Union Learning Representatives	The role of a Union Learning Representative (ULR) is to promote, encourage and support the take up and delivery of learning within the workplace. ULRs raise interest in training and development and offer peer level support which is relevant and confidential. Working with other reps they may negotiate with the employer around release for training, and work with employers to develop effective and inclusive training policies. They offer information, advice and guidance and work with a range of organisations and providers to identify learning opportunities.

<p>Health and Safety Representatives</p>	<p>Health and safety representatives represent workers in discussions with the employer about health, safety or welfare as well as in discussions with enforcing authorities, such as the Health and Safety Executive. Health and safety representatives investigate workplace hazards as well as accidents and dangerous occurrences, and collect and report accidents and occurrences of ill health.</p>
<p>Environmental Representatives</p>	<p>Environmental representatives focus on energy efficiency and the climate change agenda, working and negotiating with management to tackle green issues in the workplace. They promote environmentally sustainable workplace initiatives and practices, and may carry out environmental audits and risk assessments. They consult with their members on suggestions for reducing the environmental impact of the workplace and arrange environmental training as appropriate. They may also provide advice on workplace environmental policies, practices and management systems and assist the employer in the practical application of such activities.</p>
<p>Equality Representatives</p>	<p>Trade union equality representatives aim to raise awareness of issues related to equality and diversity. They can help to ensure the equal treatment of workers on the grounds of gender, age, religion, sexual orientation, disability etc. Equality representatives seek to discuss equal opportunities policies with employers.</p>

Further Information

- The CBI is the UK's leading business organisation, speaking for some 240,000 businesses that together employ around a third of the private sector workforce. The CBI's mission is to help create and sustain the conditions in which businesses can compete and prosper for the benefit of all. The CBI works with the UK government, international legislators and policy-makers to help UK businesses compete effectively. Find more information on the CBI's website at www.cbi.org.uk
- The TUC is the voice of Britain at work. With 58 affiliated unions representing about six and a half million working people from all walks of life, the TUC campaigns for a fair deal at work and for social justice at home and abroad. Find more information on the TUC's website at www.tuc.org.uk
- For more detailed versions of the case studies featured in this publication, visit www.berr.gov.uk/whatwedo/employment/trade-union-rights/facilities-and-facility-time/index.html
- The Advisory, Conciliation and Arbitration Service, or Acas, aims to improve organisations and working life through better employment relations. Further information can be found at www.acas.org.uk/index.aspx?articleid=1461. Acas has published a Code of Practice of time off for trade union duties and activities. This Code, which is currently being revised, provides guidance on the ways union representatives can efficiently combine their duties as employees and representatives. It is expected to be published by Autumn 2009.
- Directgov provides online information and services for the general public. More information on trade unions can be found at www.direct.gov.uk/en/employment
- Businesslink.gov.uk provides information specifically aimed at businesses. More information on trade unions can be found at www.businesslink.gov.uk/employingpeople



Printed in the UK on recycled paper containing a minimum of 75% post consumer waste.

Department for Business, Enterprise and Regulatory Reform. www.berr.gov.uk
First published May 2009. © Crown copyright. BERR/Pub 8852/5k/05/09/NP. URN 09/931